

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SANDRA F. FLUCK,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 06-188-GMS
)	
BELLA VISTA DEVELOPMENT, LLC,)	JURY DEMAND OF SIX
a Virginia corporation, BELLA)	
VISTA TOWNHOME CONDOMINIUM)	
ASSOCIATION, INC., a Delaware)	
corporation, REMAX REALTY)	
GROUP, a Delaware franchise,)	
WILLIAM J. MITCHELL,)	
individually, and WAYNE)	
MITCHELL, individually,)	
)	
Defendants.)	

**DEFENDANT WILLIAM J. MITCHELL'S COMPLIANCE WITH
REQUIRED DISCLOSURES PURSUANT TO F.R.C.P. 26 (a)(1)**

Defendant William J. Mitchell ("Answering Defendant") by and through undersigned counsel, hereby provides Initial Disclosures pursuant to Fed. R. Civ. P. 26(a)(1). The disclosures made herein are based on the answering defendant's present knowledge, information and belief. These disclosures are subject to amendment, in accordance with Rule 26(a)(1), as the answering defendant acquires, reviews and analyzes additional information obtained during the proceedings.

The identification herein of individuals likely to have discoverable information that the answering defendant may use to support his averments is not, and should not be interpreted, as a statement by the answering defendant that the identified individuals actually have relevant knowledge and information or will appear as witnesses at trial.

(1) The name, address and telephone number of each person with knowledge of the facts relating to the litigation:

ANSWER: Plaintiff; Female acquaintance of plaintiff; William J. Mitchell; Agents or officers of Bella Vista Condo Association, Inc., 20257 Bay Vista Road, Rehoboth Beach, DE 19971.

(2) A statement confirming that those documents in the party's possession, custody or control which are reasonably likely to bear significantly on the claims or defenses asserted, and that are not otherwise protected from discovery as privileged, or as trial preparation materials, or may be subject to protective order under Fed. R. Civ. P. 26 (c), are available for inspection and copying by the other parties. In the statement, the party shall identify those documents being withheld.

ANSWER: Documents and things in the possession of counsel or the party that may be used to support the disclosing party's claims or defenses: Report dated August 18, 2004 by Ward Strategies Claims Solutions.

(3) The identity of each expert witness retained by the party and expected to be called by the party at trial, together with the dates of any written opinions prepared by each expert.

ANSWER: At this time Answering Defendant has not maintained or identified trial experts, but reserves the right to retain and identify trial experts in the areas of, inter alia, medicine and construction.

(4) A brief description of any insurance coverage, including excess coverage, that is or may be applicable to the litigation including: (1) the name and address of all companies insuring the risk; (2) the policy number(s); (3) the type of insurance; and (4) the amounts of primary, secondary and excess coverage.

ANSWER: (1) Scottsdale Indemnity Company;
(2) Policy No. CPI0000722;
(3) Liability Insurance;
(4) \$1,000,000.00 per occurrence.

AKIN & HERRON, P.A.

/s/ Roger A. Akin
Roger A. Akin
Attorney I.D. No. 395
1220 N. Market Street, Suite 300
P.O. Box 25047
Wilmington, DE 19899
(302) 427-6989
Attorneys for Defendant
William J. Mitchell

Dated: September 19, 2006

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SANDRA F. FLUCK,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 06-188-GMS
)	
BELLA VISTA DEVELOPMENT, LLC,)	JURY DEMAND OF SIX
a Virginia corporation, BELLA)	
VISTA TOWNHOME CONDOMINIUM)	
ASSOCIATION, INC., a Delaware)	
corporation, REMAX REALTY)	
GROUP, a Delaware franchise,)	
WILLIAM J. MITCHELL,)	
individually, and WAYNE)	
MITCHELL, individually,)	
)	
Defendants.)	

NOTICE OF SERVICE

I hereby certify that on this 19th day of September, 2006, a copy of **DEFENDANT WILLIAM J. MITCHELL'S COMPLIANCE WITH REQUIRED DISCLOSURES PURSUANT TO F.R.C.P. 26 (a)(1)** was electronically filed with the Clerk of the Court using CM/ECF which will send notifications of such filing(s) to counsel listed below:

Andrea G. Green, Esquire
Jennifer Susan Donahue, Esquire
Doroshov, Pasquale, Krawitz & Bhaya
213 East Dupont Highway
Millsboro, DE 19966

Daniel P. Myers, II, Esquire
Hudson, Jones, Jaywork & Fisher
309 Rehoboth Avenue
P.O. Box P
Rehoboth Beach, DE 19971

Stephen P. Casarino, Esquire
Casarino, Christman & Shalk, P.A.
800 North King Street
P.O. Box 1276
Wilmington, DE 19899

Charles P. Coates, III, Esquire
Law Offices of Charles P. Coates, III
131 Continental Drive, Suite 407
Newark, DE 19711

AKIN & HERRON, P.A.

/s/ Roger A. Akin
Roger A. Akin, I.D. No. 395
Deborah C. Sellis, I.D. No. 3819
1220 N. Market Street, Suite 300
P.O. Box 25047
Wilmington, DE 19899
(302) 427-6989
Attorneys for Defendant
William J. Mitchell